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09/276,598	03/25/1999	DENISON W. BOLLAY	D-1507	2319

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/276,598	Applicant(s) BOLLAY, DENISON W.
	Examiner Steven R. Wasylchak	Art Unit 2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _1/25/02_

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-29_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-29_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other: .

DETAILED ACTION

Response to Amendment

1.   Claim 7 is objected to under 37 CFR 1.75 as being a substantial duplicate of

claim 13. When two claims in an application are duplicates or else are so close in

content that they both cover the same thing, despite a slight difference in wording, it is

proper after allowing one claim to object to the other as being a substantial duplicate of

the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 18 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by

Alloul et al (US 6,032,130).

As per claim 18,

A method of processing multiple electronic transactions at a hub server comprising:

-Accessing vendor product information from a vendor web site; / fig 3 (11,18,22)

-Storing said product information at said hub server; / fig 3 (18)

-Transferring said product information to a number of affiliate web sites; / fig 3 (11, 18)

-Receiving buyer billing and shipping information of one or more buyers, including a particular buyer, from affiliate web sites; / fig 3 (11);

-Storing said buyer billing and shipping information at said hub server; / fig 3(11,18)

-Receiving a purchase request of said particular buyer from one of said affiliate web sites; / fig 3 (11)

-Combining said stored buyer billing and shipping information of said particular buyer with product selection information received from said affiliate site resulting in combined purchase order information; and, / fig 3 (11, 18)

-Forwarding said combined purchase order information to said vendor. / fig 3 (11,18,22)

As per claim 22,

In system of electronic commerce in which a central hub server stands between a number of affiliate web sites and a number of vendor web sites to execute sales of vendor products featured on said affiliate web sites, a method comprising:

-associating a number of affiliate web sites with said hub server; / fig 3 (11,18)

-selecting, at said affiliate web sites, products offered by vendors; / fig

3(11)

-displaying selected products to users on said affiliate web pages; /

fig 3 (11)

-causing identifiers of a buyer, an affiliate web site, a product, and a

vendor site, to be sent to said hub server in response to a buyer that browses an

affiliate web site clicking on a displayed vendor product ; / fig 3 (11,18)

-searching a database at said hub server to find a picture of said

product, its current price and previously stored credit information and shipping address

of said buyer; / fig 3 (11,18); col 2, L 41-46

-sending, from said hub server to said particular user, a

form including said picture of said product, its price and a submit icon superimposed on

said picture; / fig 3(11,18); col 2, L 41-46

-returning said form, from said buyer to said hub server, upon a

condition that said buyer clicks on said submit icon; / fig 3(11,18); col 2,

L 41-46

-debiting, at said hub server, said buyer's credit card with said purchase price; /fig 3 (11,

18); col 9, L 4-8

-crediting said vendor site with a sale less a commission credited to said

affiliate site; / fig 3 (11, 18, 22); col 9, L 4-8; col 2, L 26-46

-submitting to said vendor all information necessary to make a purchase: product code,

price, affiliate site, vendor ID, buyer ID and shipping address; and, / fig 3 (11, 18, 22);

col 9, L 4-8; col 2, L 26-46

-processing said sale at said vendor site, including shipping said product to said

shipping address in said form. / fig 3 (11, 18, 22); col 9, L 4-8; col 2, L 26-46

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1-16, 25, 26-29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Alloul et al (US 6,032,130) and in view of Deaton et al (US

5,687,322).

As per claim 1,

A method of processing multiple electronic transactions at a hub server comprising:

       -Maintaining a vendor product information database of product

information at said hub server; / fig 3 (18,34) where hub server is 18: transaction

server

       -Said product information being accessible by a number of affiliate web

sites; / fig 3(11); col 2, L 37-46

       -Maintaining an affiliate web site database at said hub server; /fig 3(11,18)

       -Maintaining a buyer profile database of buyer information of one or more buyers,

including a particular buyer, at said hub server; / fig 3(18)

Alloul fails to teach a buyer profile database. However, Deaton teaches a buyer profile database (col 5, L 27-42; col 7, L30-50). It would have been obvious to one of ordinary skill in the art to use this limitation for the advantage of more likely meeting market demand by target marketing based on consumer profiling.

-Alloul discloses product selection from one of said affiliate sites upon a condition

that a purchase request of said particular buyer is received, resulting in combined

purchase order information being sent to the hub server; and, / fig 3

(11,19,48,46,42,34,16,18). Alloul fails to teach the feature of that buyer's profile

database. However, Deaton et al teaches a buyer profile database (col 5, L 27-

42; col 7, L30-50).

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature for the advantage of being more

efficient by centralizing the profiling and purchasing function to more likely meet

market demand by target marketing based on consumer profiling.

-Forwarding said combined purchase order information from said hub server to a

vendor. / fig 3 (19,48,46,42,34,16,18,22).

As per claim 2,

The method of claim 1 wherein said particular buyer information is stored in said buyer profile database during a first purchase by said particular buyer at an affiliate web site. / Alloul discloses affiliate web sites (fig 3,11). However, Alloul fails to teach particular buyer information is stored in said buyer profile database during a first purchase by said

particular buyer. Deaton discloses particular buyer information is stored in said buyer

profile database during a first purchase by said particular buyer (col 5, L 27-42; col 7,

L30-50). It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature for the advantage of being more

efficient by centralizing the profiling and purchasing function to more likely meet

market demand by target marketing based on consumer profiling.

As per claims 3 and 4,

The method of claim 1 wherein said step of forwarding said combined purchase order

information from said hub server to said particular buyer comprises:

- Dynamically creating computer code needed to submit a purchase

request upon a condition that said particular buyer selects a submit icon displayed on a

web page; and, / Alloul: col 4, L 24-39

-Inserting said computer code into said web page with a tag. / Alloul: col 4, L 24-39

As per claims 5 and 6,

The method of claim 3 wherein said computer code is one or more of HTML code and

JavaScript; and, wherein said tag is one or more of an <IFRAME> and JavaScript. /

Alloul: col 4, L 24-39

As per claim 7 and 13,

A method of processing multiple electronic transactions at a hub server comprising:

        -Maintaining a vendor product information database of product

information at said hub server; / fig 3 (18,34) where hub server is 18: transaction

server

-Said product information being accessible by a number of affiliate web sites; /

fig 3(11); col 2, L 37-46

-Maintaining an affiliate web site database at said hub server; / fig 3(11,18)

-Maintaining a buyer profile database of buyer billing and shipping information of

one or more buyers, including a particular buyer, at said hub

server; / Alloul teaches a hub and buyer billing and shipping information (fig 3(11,18);

col 2, L 41-46). Alloul fails to teach a buyer profile database. However, Deaton

teaches a buyer profile database (col 5, L 27-42; col 7, L30-50). It would have been

obvious to one of ordinary skill in the art to use this limitation for the advantage of more

likely meeting market demand by target marketing based on consumer profiling.

-Alloul teaches the combining stored buyer billing and shipping information of

buyer with product selection received from one of said affiliate sites upon a condition

that a purchase request of buyer is received, resulting in combined

purchase order information; (fig 3 (11,18). Alloul fails to teach a buyer profile database.

However, Deaton teaches a buyer profile database (col 5, L 27-42; col 7, L30-50). It

would have been obvious to one of ordinary skill in the art to use this limitation for the

advantage of more likely meeting market demand by target marketing based on

consumer profiling.

-Alloul teaches a recording said combined purchase order information except for

the buyer's profile database at said hub server; and, / fig 3 (11,19,48,46,42,34,16,18).

Alloul fails to teach the feature of that buyer's profile database aspect within the said

combined purchase order.

However, Deaton et al teaches a buyer profile database (col 5, L 27-42; col 7,

L30-50).

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature for the advantage of being more

efficient by centralizing the profiling and purchasing function to more likely meet

market demand by target marketing based on consumer profiling.

-Alloul teaches forwarding said combined purchase order information except the buyer's

profile database from said hub server to a vendor. (fig 3 (19,48,46,42,34,16,18,22)).

Alloul fails to teach the feature of that buyer's profile database aspect within the said

combined purchase order. However, Deaton et al teaches a buyer profile database

(col 5, L 27-42; col 7, L30-50).

It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature for the advantage of being more

efficient by centralizing the profiling and purchasing function to more likely meet

market demand by target marketing based on consumer profiling.

As per claim 8,

The method of claim 7 wherein said particular buyer billing and shipping information is

stored in said buyer profile database during a first purchase involving said particular

buyer at an affiliate web site. / Alloul discloses billing and shipping information and

affiliate web sites (fig 3,11). However, Alloul fails to teach said buyer profile database

during a first purchase by said particular buyer. Deaton discloses particular buyer billing

and shipping information is stored in said buyer profile database during a first purchase

by said particular buyer (col 5, L 27-42; col 6, L 31-36; col 7, L30-50).   It would have

been obvious to one of ordinary skill in the art at the time of

applicant's invention to implement this feature for the advantage of being more

efficient by centralizing the profiling and purchasing function to more likely meet

market demand by target marketing based on consumer profiling.

As per claims 9 and 10,

The method of claim 7 wherein said step of forwarding said combined purchase order

information from said hub server to said particular buyer comprises:

     -Dynamically creating computer code needed to submit a purchase

request upon a condition that said particular buyer selects a submit icon displayed on a

web page; and, / Alloul: col 4, L 24-39

     -Inserting said computer code into said web page with a tag. / Alloul: col 4,

L 24-39

As per claims 11 and 12,

The method of claim 9 wherein said computer code is one or more of HTML code and

JavaScript; and wherein said tag is one or more of an <IFRAME> and JavaScript. /

Alloul: col 4, L 24-39

As per claim 14,

The method of claim 13 wherein said particular buyer billing and shipping information is

stored in said buyer profile database during a first purchase involving said particular

buyer at an affiliate web site. / Alloul discloses billing and shipping information and

affiliate web sites (fig 3,11). However, Alloul fails to teach said buyer profile database

during a first purchase by said particular buyer. Deaton discloses particular buyer billing

and shipping information is stored in said buyer profile database during a first purchase

by said particular buyer (col 5, L 27-42; col 6, L 31-36; col 7, L30-50). It would have

been obvious to one of ordinary skill in the art at the time of applicant's invention to

implement this feature for the advantage of being more efficient by centralizing the

profiling and purchasing function to more likely meet market demand by target

marketing based on consumer profiling.

As per claim 15,

The method of claim 13 wherein said step of forwarding said combined purchase order

information from said hub server to said particular buyer comprises:

        -Dynamically creating computer code needed to submit a purchase request

upon a condition that said particular buyer selects a submit icon displayed on a web

page; and, / Alloul: col 4, L 24-39

        -Inserting said computer code into said web page with a tag. / Alloul: col 4, L

24-39

As per claim 16,

The method of claim 14 wherein said computer code is one or more of HTML code and

JavaScript; and wherein said tag is one or more of an <IFRAME> and JavaScript. /

Alloul: col 4, L 24-39

As per claim 25,

The method of claim 18 wherein Alloul teaches the step of transferring said product

information to a particular user includes selecting said product based on one or more of

a affiliate site and category. (fig 3(11); col 2, L 37-46). However, Alloul fails to teach

said buyer profile database during a first purchase by said particular buyer. Deaton

discloses particular buyer billing and shipping information is stored in said buyer profile

database during a first purchase by said particular buyer (col 5, L 27-42; col 6, L 31-36;

col 7, L30-50). It would have been obvious to one of ordinary skill in the art at the time

of applicant's invention to implement this feature for the advantage of being more

efficient by centralizing the profiling and purchasing function to more likely meet

market demand by target marketing based on consumer profiling.

As per claim 26,

The method of claim 19 wherein Alloul teaches a step of generating a number of

templates, each template corresponding to a product to be displayed at an affiliate web

site includes selecting said product based on one or more of a affiliate site and

category. / col 4, L 24-39; fig 3(11,18,22).   However, Alloul fails to teach said buyer

profile. Deaton discloses particular buyer billing and shipping information is stored in

said buyer profile database during a first purchase by said particular buyer (col 5, L 27-

42; col 6, L 31-36; col 7, L30-50). It would have been obvious to one of ordinary skill in

the art at the time of applicant's invention to implement this feature for the advantage of

being more efficient by centralizing the profiling and purchasing function to more likely

meet market demand by target marketing based on consumer profiling.

As per claim 27,

The method of claim 1 wherein said step of forwarding said combined purchase order

information from said hub server to a vendor includes selecting said vendor based on

price or aggregation efficiency. / fig 3 (11,18,22), col 2, L 5-12, 47-60, col 8, L 43-56

As per claim 28,

The method of claim 7 wherein said step of forwarding said combined purchase order

information from said hub server to a vendor includes selecting said vendor based on

price or aggregation efficiency. / fig 3 (11,18,22), col 2, L 5-12, 47-60, col 8, L 43-56

As per claim 29,

The method of claim 13 wherein said step of forwarding said combined purchase order

information from said hub server to a vendor includes selecting said vendor based on

price or aggregation efficiency. / fig 3 (11,18,22), col 2, L 5-12, 47-60, col 8, L 43-56

5.   Claims 19, 20, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Alloul et al (US 6.023,130) and in view of official notice.

As per claim 19,

A method of enabling multiple and different remote Internet resident affiliate web sites

to allow users to effect purchases at a separate vendor web site comprising:

        A. Storing, in a database at a hub server, specific buyer information,

including billing and shipping information; / fig 3 (11, 18, 22); col 9, L 4-8; col 2, L 26-46

        B. Generating a number of templates, each template corresponding to a

product (or product category) to be displayed on an affiliate web page; / Alloul: col 4, L

24-39; fig 3 (11, 19)

        C. Alloul teaches at said hub server, identifying a

prospective buyer, said affiliate site, said product and optionally said vendor

site; / Alloul fails to teach the feature of a cookie identifier of prospective buyer.

Official notice is taken that this feature is old and well known in

the e-commerce art and / or retail art. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this

feature for the advantage of identifying a buyer and thus establishing a profile candidate

for marketing purposes.

D. Dynamically creating a <FORM> including all information necessary to

effect a purchase transaction; / col 4, L 24-39; fig 3(11,18,22)

E. Returning a picture of said product with a submit image and said

<FORM> to said particular user; and, / col 4, L 24-39; fig 3 (11, 18, 22)

F. Forwarding a purchase request for said product to be shipped to said

buyer to a vendor upon a condition that said <FORM> is submitted to said

hub server. / col 4, L 24-39; fig 3(11,18,22)

As per claim 20,

The method of claim 19 further comprising:

G. Arranging said picture of said product and a submit image on

screen such that a purchase request can be initiated by selecting said submit image. /

col 4, L 24-39; fig 3(11,18,22)

As per claim 21,

The method of claim 20 wherein said <form> includes product code, price, affiliate ID

and vendor ID. / col 4, L 24-39; fig 3(11,18,22)

As per claim 23,

The method of claim 18 wherein Alloul teaches said step of transferring said

product information to a particular user includes selecting said product information

within a category. / fig 3 (11, 18, 22); col 9, L 4-8; col 2, L 26-46

Alloul fails to teach the feature of random information selection.

Official notice is taken that this feature is old and well known in

the e-commerce art and / or retail art. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this

feature for the advantage of exposing most or all of the products over time to see which

are in demand.

As per claim 24,

The method of claim 19 wherein Alloul teaches said step of generating a number of

templates, each template corresponding to a product to be displayed at an affiliate web

site includes selecting within a category. / col 4, L 24-39; fig 3(11,18,22)

Alloul fails to teach the features of random information selection.

Official notice is taken that this feature is old and well known in

the e-commerce art and / or retail art. It would have been obvious to one of

ordinary skill in the art at the time of applicant's invention to implement this

feature for the advantage of exposing most or all of the products over time to see which

are in demand.

This action is **NON-FINAL**. Any inquiry concerning this communication or

earlier communications from the examiner should be directed to Steven R. Wasylchak

whose telephone number is (703) 308-2848. The examiner can normally be reached

on Monday-Friday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art

Unit 2164 is (703) 308-1396.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is

(703) 305-3900.

Steven Wasylchak

4/30/02

VINCENT MILLIN
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